

PATENT  
ATTORNEY DOCKET NO.: 053848-5026

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:

Erika KANEMATSU

Application No.: 10/585,995

Filed: July 13, 2006

For: PROJECTION ELECTRON  
MICROSCOPE, ELECTRON  
MICROSCOPE, SPECIMEN SURFACE  
OBSERVING METHOD, AND MICRO  
DEVICE PRODUCING METHOD

Confirmation No.: 1449

Group Art Unit: 2881

Examiner: Unassigned

Commissioner for Patents  
U.S. Patent and Trademark Office  
Customer Window  
Alexandria, VA 22314

Sir:

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)**

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicant brings to the attention of the Examiner the documents listed on the attached PTO-1449. To the best of the undersigned's knowledge, this Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits for the above-referenced application. Accordingly, Applicant does not believe that a fee is due for filing this paper.

A concise explanation of relevance for each of the non-English language documents listed may be ascertained from the English-language translation of their respective Abstracts and the figures respectively therein. Copies of the listed non-U.S. documents are attached.

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Applicant respectfully requests that the Examiner consider the listed documents and evidence that consideration by making appropriate notations on the attached PTO Form 1449.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that the listed documents are material or constitute "Prior Art." If it should be determined that the listed documents do not constitute "Prior Art" under United States law, Applicant reserves the right to present to the Office the relevant facts and law regarding the appropriate status of such documents.

Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should any of the documents be applied against the claims of the present application.

**Except** for issue fees payable under 37 C.F.R. §1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§1.16 and 1.17 which may be required,

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including any required extension of time fees, or credit any overpayment to Deposit Account

No.: 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR  
EXTENSION OF TIME** in accordance with 37 C.F.R. §1.136(a)(3).

Respectfully submitted,

**MORGAN, LEWIS & BOCKIUS LLP**

By: \_\_\_\_\_



David B. Hardy

Reg. No. 47,362

Dated: June 25, 2007

**CUSTOMER NO.: 009629**

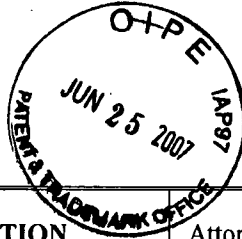
**MORGAN, LEWIS & BOCKIUS LLP**

1111 Pennsylvania Avenue, N.W.

Washington, D.C. 20004

Tel: 202-739-3000

Fax: 202-739-3001



## INFORMATION DISCLOSURE CITATION

(Use several sheets if necessary)  
PTO Form 1449

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## U.S. PATENT DOCUMENTS

*Examiner Initial	Document Number	Date	Name	Class	Sub Class	Filing Date
/JB/	6,310,341	October 30, 2001	Todokoro et al.			
/JB/	5,929,439	July 27, 1999	Todokoro et al.			

## FOREIGN PATENT DOCUMENTS

	Document Number	Date	Country	Class	Sub Class	<u>Translation</u> YES NO	
/JB/	2002-216692	August 2, 2002	Japan			Abstract	
/JB/	2002-141010	May 17, 2002	Japan			Abstract	
/JB/	2001-332593	November 30, 2001	Japan			Abstract	
/JB/	11-238484	August 31, 1999	Japan			Abstract	

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)


Examiner

/Jack Berman/

Date Considered

08/06/2008

Examiner:

Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.